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Question of Palestine

Culture of peace

Elimination of racism, racial discrimination, xenophobia and related intolerance

Letter dated 26 August 2010 from the Permanent Representative of Tajikistan to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chair of the Organization of the Islamic Conference (OIC) Group in New York, to draw your attention to the continued desecration and destruction by Israel of the historic Muslim Ma'man Allah (Mamilla) Cemetery in Jerusalem and to the attempt by the Israeli authorities to clear these hallowed grounds for the construction of a so-called "Centre for Human Dignity and Museum of Tolerance" as well as the construction of a "judicial complex" on another part of the Cemetery. The building of such institutions of "tolerance" and "justice" via the disinterment of human remains and the destruction of hundreds and hundreds of graves should be offensive to any individual with moral conscience and basic human sensitivity.

The Mamilla Cemetery is an ancient Muslim burial ground and holy site dating back at least to the twelfth century, where thousands of Palestinian families, religious figures and officials, scholars and martyrs have been laid to rest. For decades, this Cemetery has been recognized as a historic site, central to the Islamic religious sites and heritage in the City of Jerusalem, declared a historic site by the Muslim Supreme Council in 1927 and an antiquities site by the British Mandate authorities in 1944. For hundreds of years the Waqf (Islamic Endowment) of Jerusalem had cared for the Cemetery, but has been prevented by Israel from accessing the Cemetery grounds since 1967, causing it to fall into disrepair. Even families of the deceased who have attempted over the years to repair and clean gravesites have faced obstructions, with repairs destroyed or removed by the Israeli authorities, ensuring that the Cemetery remains in constant disrepair.

Regrettably, in grave disrespect of the universal norms regarding burial sites, which are to be protected and preserved, in grave disrespect of the sensitivities and

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rights of the descendants of those buried in the Mamilla Cemetery, and in a display of disregard of Islamic religious and Palestinian cultural sensitivities, the Israeli authorities have carried out yet another wave of destruction in the Cemetery. Following the desecration and bulldozing of 1,500 graves in 2009, this month at least 150 recently restored tombs and grave markers as well as several older tombs in the Cemetery have been destroyed, disinterring more human remains. This condemnable act of destruction was carried out despite the fact that the Israeli court-appointed custodian of the Cemetery, Hajj Mustafa Abu Zahra, was permitted during the past few months to undertake minor maintenance and renovations in the Cemetery. Moreover, excessive force was used against those protesting this latest desecration of the Cemetery, including against Hajj Abu Zahra, who, with other Jerusalemites, tried to block the bulldozers.

The Organization of the Islamic Conference has thus been compelled to draw your attention to Israel's disrespect of this historic Islamic burial ground as well of other religious and cultural heritage sites in the City of Jerusalem. In this regard, it must be pointed out that several impartial reports have addressed the vulnerability of religious and historic sites in the Occupied Palestinian Territory and in Israel. This includes the 2009 International Religious Freedom Report of the United States State Department, which noted that the Government of Israel "implements regulations only for Jewish sites. Non-Jewish holy sites do not enjoy legal protection ...", and that "while well-known sites have de facto protection as a result of their international importance, many Muslim and Christian sites are neglected, inaccessible or threatened by property developers and municipalities".

Such actions, including the desecration of the Mamilla Cemetery, must be firmly condemned. Urgent efforts must be undertaken to preserve and protect the Mamilla Cemetery, a site of importance to the Palestinian, Arab and Muslim heritage. In this regard, Israel, the occupying Power, must be called upon by the international community to cease all such illegal, deplorable and provocative actions, which constitute yet further attempts by Israel to erase the Palestinian Arab identity, history and presence in the land and, particularly, in the Holy City of Jerusalem and which risk further inflaming religious sensitivities and destabilizing the very fragile situation on the ground.

I should be grateful if you would arrange to have the present letter distributed as a document of the General Assembly, under agenda items 16, 49 and 67, and of the Security Council.

(*Signed*) Sirodjidin **Aslov**
Ambassador
Permanent Representative